

# HOUSE . . . . . No. 4220

Text of the House amendment House document number 4196, (as changed by the committee on Bills in the Third Reading, and as amended by the House) to the Senate Bill relative to emergency service response of public utility companies (Senate, No. 2143). June 27, 2012.

## The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

By striking out all after the enacting clause and inserting in place thereof the following:—

SECTION 1. Chapter 164 of the General Laws is hereby amended by inserting after section 1J the following section:-

Section 1K. Any penalty levied by the department against an investor-owned electric distribution, transmission or natural gas distribution company for any violation of the department's standards of acceptable performance for emergency preparation and restoration of service for electric and gas distribution companies shall be credited back to the company's customers in a manner determined by the department.

SECTION 2. Subsection (a) of section 85B of said chapter 164, as appearing in the 2010 Official Edition, is hereby amended by striking out clauses (1) and (2) and inserting in place thereof the following 2 clauses:-

(1) the identification of management staff responsible for company operations during an emergency, including a public information officer responsible for coordinating the

communications with state and municipal officials and an estimate of the number of crews who are available to respond to an emergency within 24 hours;

(2) a communications system with customers during an emergency that includes continuous access to staff assistance and three times daily updates on estimated return of service via telephone, a public access website and 1 other form of media outreach; provided that such updates shall begin upon completion of a damage assessment as specified in the company's emergency response plan.

(3) The Identification of the location of all hospitals, nursing homes, public or private senior housing complexes and assisted living facilities in the service area for the purpose of prioritizing and ensuring the immediate restoration of services to said locations.

SECTION 3. Said subsection (a) of said section 85B of said chapter 164, as so appearing, is hereby further amended by striking out clause (4) and inserting in place thereof the following clause:-

(4) designation of staff to communicate with local officials, relevant regulatory agencies and designated community liaisons as required by subsection (f); and designation of staff to be posted at the Massachusetts emergency management agency's emergency operations center, as required by subsection (e).

SECTION 4. Said subsection (a) of said section 85B of said chapter 164, as so appearing, is hereby further amended by striking out clauses (6) and (7) and inserting in place thereof the following 3 clauses:-

(6) procedures for deploying company and mutual aid crews to work assignment areas;

(7) identification of additional supplies and equipment needed during an emergency and the means of obtaining additional supplies and equipment; and

(8) designation of a call center in the commonwealth for service assistance for the duration of an emergency or until full service is restored, whichever occurs first. The call center shall be staffed continuously for the duration of the emergency and to ensure sufficient staffing levels or designated resources to handle customer reports of outages.

SECTION 5. Said section 85B of said chapter 164, as so appearing, is hereby further amended by adding the following 4 subsections:-

(e) Each investor-owned electric distribution, transmission or natural gas distribution company, when implementing an emergency response plan, shall designate an employee or employees to remain stationed at the Massachusetts emergency management agency's emergency operations center for the length of the emergency. The employee or employees shall coordinate communications efforts with local officials and emergency management officials, as required by this section.

(f) Each investor-owned electric distribution, designated emergency management official or natural gas distribution company, when implementing an emergency response plan, shall designate an employee or employees to serve as community liaisons for each municipality within their service territory. An investor-owned electric distribution, designated emergency management official or natural gas distribution company shall provide each community liaison with the necessary feeder map or maps outlining municipal substations and distribution networks and up-to-date customer outage reports at the time of designation as a community liaison. An investor-owned electric distribution, designated emergency management official or natural gas

distribution company shall provide each community liaison with three times daily customer outage report updates for the liaison's respective city or town. The community liaison shall utilize the maps and outage reports to respond to inquiries from the designated emergency management official, local officials and relevant regulatory agencies.

(g) Notwithstanding any existing power or authority, each electric distribution, transmission or natural gas distribution company conducting business in the commonwealth shall provide periodic reports to the department and the Massachusetts emergency management agency regarding emergency conditions and restoration performance during an emergency event.

(h) Each investor-owned electric distribution, transmission or natural gas distribution company shall file with the emergency management director of each municipality within their service territory a copy of the emergency response plan and any updates. Failure to file the plan with each emergency management director shall result in a fine of \$500.

(i) On or before October 1 of each year, every city or town must notify each investor-owned electric distribution or natural gas distribution company and the Massachusetts emergency management agency the name of the emergency management official or designee responsible for coordinating the emergency response during storm restoration. If a municipality does not have a designated emergency management official, the chief municipal officer shall designate one public safety official responsible for said emergency response.

SECTION 6. An investor-owned electric distribution, transmission or natural gas distribution company with a call center within 50 miles of the Commonwealth, in operation as of January 1, 2012, need not designate an additional call center under clause (8) of subsection (a) of section 85B of chapter 164 of the General Laws as long as the call center continues in operation.